



REMARKS

The foregoing Amendment and remarks which follow are responsive to the Office Action mailed December 1, 2004 in relation to the above-identified patent application. In that Office Action, the Examiner rejected Claims 1-10 under 35 U.S.C. Section 112 as purportedly containing subject matter not described in the specification of the present application. In particular, the Examiner has indicated that the specification does not disclose treating the side of the polyester that is metallised. Though the Examiner concedes that an example in the specification indicates that a film that is metallised on one side is chemically treated, it does not indicate which side is treated, with one in the art reading the reference as a whole potentially concluding that the film was treated on the opposite side of the metallization since the entire specification indicates that the treatment and metallization occurs on different sides. The Examiner also rejected Claims 1-10 under 35 U.S.C. Section 103(a) as being unpatentable over the combination of the Brownlee, Olvey, and Peer, Jr. references.

By this Amendment, Applicant has cancelled Claims 1 and 6-12, amended Claims 2-5, and added new Claims 13 and 14 into prosecution. Applicant notes that the latest Office Action did not address new Claims 11 and 12 added into prosecution by the Amendment filed August 16, 2004, which have now been cancelled. More particularly, Applicant has added new independent Claim 13 into prosecution. New Claim 13 specifies that treatment occurs to both sides of the polyester film. The language of new Claim 13 also clarifies the nature of the present invention by reciting key characteristics of the polyester film and the timing of the formation of the liner laminate. New Claim 14, which is dependent on Claim 13, further defines the timing of the formation of the liner laminate subsequent to the formation of the corrugated paper sheet. Claims 2-5 have been amended only to change their dependency to new independent Claim 13 and to make the language thereof consistent to that of Claim 13.

As indicated above, in the latest Office Action, the Examiner asserts that the specification does not provide a basis for the recitation that corona or chemical treatment occurs on the metallised side of the polyester film. Applicant respectfully submits that the treatment of both sides of the polyester film is disclosed in the specification of the present

application. In this regard, the example provided refers to a laminated material wherein the polyester film has been chemically treated on both sides. Thus, Applicant respectfully submits that there is clear antecedent basis in the specification of the present application for the various features recited in new independent Claim 13.

Further, Applicant respectfully submits that independent Claim 13 is not rendered obvious by the combination of the Brownlee, Olvey and Peers references cited in the latest Office Action. In this regard, it is respectfully submitted that none of these references teach, suggest or show laminate combinations including paper, plastic and metal, nor do they describe the use of chemical or corona treatment to both sides of a polyester film. Indeed, the novelty of Claim 13 appears to be backed by the Examiner's contradictory argument that "One in the art would appreciate that the corona or chemical treatment would occur on the side opposite the metallized side so that no damage was done to the metal layer." Applicant respectfully submits that this is not the case.

Moreover, Applicant respectfully submits that none of the cited references specify the use of a polyester film characterized by a melting point before pre-treatment of less than approximately 120°C. The inventor found that by pre-treating both sides of the polyester film, amongst other properties, the melting point of the polyester film increased substantially to a level useful in continuous corrugating operations (in the range of approximately 130°C to approximately 160°C). Past experience was that the corrugated paper needed to cool to well below the melting point of the polyester film before lamination could occur. Indeed, this occurrence is apparent from the teachings of the Brownlee and Olvey references which each describe sheet laminations rather than continuous processing. Using ordinary polyester film without both sides being treated results in the polyester film melting and ultimately damaging the production machinery. Still further, the processes described in the Brownlee and Olvey references appear to be batch wise in comparison to the continuous process of the present invention as is now clarified in new Claims 13 and 14.

For the foregoing reasons, and further for those reasons argued at length in Applicant's prior Amendment of August 16, 2004, Applicant respectfully submits that Claims 2-5, 13 and 14 are not rendered obvious by the combination of the Brownlee, Olvey and Peers Jr. et al. references, and are now in condition for allowance.

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On the basis of the foregoing, Applicant respectfully submits that the stated grounds of rejection have been overcome, and that Claims 2-5, 13 and 14 are in condition for allowance. An early Notice of Allowance is therefore respectfully requested.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

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